

III. REMARKS

It is respectfully submitted that the mistake to be corrected is not of a typographical or clerical nature, or of a minor character as required by 35 U.S.C. 255 for a certificate of correction. In particular, the language "alternatively completely" is confusing and therefore claims 1-7 might be held invalid under 35 U.S.C. 112, second paragraph. It is submitted that this satisfies the requirement that "the patent is deemed wholly or partly inoperative or invalid,...by reason of the patentee claiming more or less than he has a right to claim..." as required by 35 U.S.C. 251 since if a claim is held invalid, the patentee is claiming less than he had a right to claim. Thus the proper procedure is that of reissue. Further, claim 1 has been amended to correct the problem by deleting "alternatively".

It is therefore submitted that the reissue declaration is not defective.

Claims 1-7 have been amended to better conform to U.S. practice.

Claims 1-4 and 6-28 are not unpatentable under 35 U.S.C. 102(b) as anticipated by Jacobsen.

Claim 1 now recites a device which has a camera with a lens placed on an opposite side than a display. This allows the display to act as a viewfinder with a wide field of view for the camera.

Jacobsen in Figs. 8A and 8B fails to explicitly disclose any lens. It is respectfully submitted that the cited element 238 is a module or pod (see column 12, line 59), holding the viewing port 240 and not a lens as stated by the Examiner. There is no disclosure of the claimed opposite side concept. Note that the cited column 12, lines 38-46, discuss Fig. 8, which is an alternative embodiment (see column 12, line 47) to that of Figs. 8A and 8B. While Figs. 8 and 9B disclose a camera 215, the camera lens is not on the opposite side of display 202 or 252, respectfully. Thus it is not as an efficient viewfinder as recited in claim 1.

Claim 8 recites a device having first and second connected parts, a camera lens located on one of the parts and a display located on an opposite side of one of the parts. As discussed above, Jacobsen is not clear as to where its various components are located. Claims 16 and 24 also recite the above-discussed opposite sides concept thereby also distinguishing over Jacobsen. Since such a vague disclosure as Jacobsen is insufficient for anticipation, the rejection of claims 1-4 and 6-28 should be withdrawn.

Further, since the above-discussed features are not suggested by Jacobsen, these claims are unobvious of it.

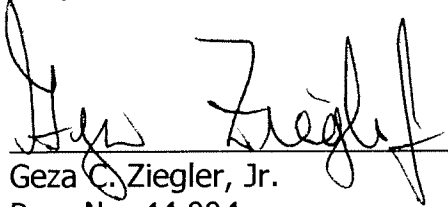
Claim 5 is not unpatentable under 35 U.S.C. 103(a) over Jacobsen in view of Kim.

Since Kim also fails to disclose the above-discussed features, combining it with Jacobsen fails to result in the invention defined by the claims. Hence the rejection of claim 5 should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of \$120.00 for a one-month extension of time and for any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Geza C. Ziegler, Jr.
Reg. No. 44,004

17 July 2004
Date

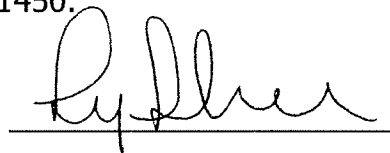
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